

REMARKS

Summary of the Office Action

Claims 14, 15, 17, and 20 – 25 are indicated being allowable if rewritten or amended to overcome the rejections under 35 U.S.C. § 112, second paragraph.

Claim 14 stands objected to for various informalities.

Claims 14, 15, 17, and 20 – 25 stand rejected under 35 U.S.C. § 112, second paragraph as indefinite.

Summary of the Response to the Office Action

Applicant thanks the Examiner for indicating that claims 14, 15, 17, and 20 – 25 recite allowable subject matter.

Applicant amends claims 14, 15, and 20 to correct various informalities and to define the claimed subject matter further. Support for these amendments is found at least in Figs. 6, 7(a), 7(b), 9(a), 9(b), and paragraphs [0047], [0061], [0062], [0073], [0102], [0104], [0107] - [0109], [0132], and [0157] of the as-filed application. Applicant respectfully submits that the above amendments introduce no new matter within the meaning of 35 U.S.C. §132.

Accordingly, claims 14, 15, and 17 – 25 are presently pending, with claims 1 – 13, 16, 18, and 19 previously canceled without prejudice or disclaimer.

Applicant requests entry of the Amendment and reconsideration and timely withdrawal of the pending rejections for at least the reasons discussed below.

The Objections to the Claims

Claim 14 stands objected to for various informalities. Applicant amends claim 14 to correct the informalities noted. Applicant respectfully submits that these amendments do not narrow the intended scope of the claim, and therefore Applicant does not relinquish any subject matter by the amendments. For at least these reasons, Applicant respectfully requests that the objections to the claims be withdrawn

The Rejections under 35 U.S.C. § 112, Second Paragraph

Claims 14, 15, 17, and 20 – 25 stand rejected under 35 U.S.C. § 112, second paragraph as indefinite. Applicant requests that the rejections under 35 U.S.C. § 112, second paragraph, be withdrawn for at least the reasons discussed below.

Applicant has amended claim 14 to provide proper antecedent basis for and to specify the relationship of the recording layers recited in the claim. Specifically, Applicant has amended claim 14 to recite in part “a first information recording medium having a plurality of recording layers and a second information recording medium having a single recording layer.” Support for two information recording media is found in at least paragraphs [0062] and [0073] of the as-filed specification, which disclose a “first-type optical disc (DVD-standard optical disc)” and a “second-type optical disc (CD-standard optical disc).”

Applicant has also amended claim 14 to recite in part “first and second sub-beams of [a] first wavelength that are reflected by [a] first one of the plurality of recording layers of the first information recording medium” and “third and fourth sub-beams of [a] second wavelength that are reflected by [a] single recording layer of the second information recording medium.” Support for

these features is found at least in paragraphs [0058] and [0061] of the as-filed specification.

Regarding how the claimed signals and plurality of light receiving regions are linked, Applicant has amended claim 14 to recite, in part, “a plurality of first light receiving regions arranged on the substrate to receive [a] first and second diffracted beams that are diffracted from the first and second sub-beams by the hologram element [and] a plurality of second light receiving regions arranged on the substrate to receive third and fourth diffracted beams that are diffracted from the third and fourth sub-beams by the hologram element.” This feature is disclosed in at least Figs. 7(a), 7(b), 9(a), and 9(b). The first light receiving regions correspond to the first wavelength light and the first information recording medium. The second light receiving regions correspond to the second wavelength light and the second information recording medium.

Applicants have also amended claim 14 to specify that “the operation unit performs a subtraction operation” to address the concern that it unclear what performs the subtraction, and to correct the “carries out a subtraction operation” grammatical sentence informality on lines 20 – 23 of claim 14. For example, as disclosed in Fig. 11, when the first wavelength light is applied, the first light receiving regions receive the first and second diffracted light and the unnecessary light, whereas the second light receiving regions receive only the unnecessary light. The unnecessary light comes from the “one or more of the plurality of first information medium recording layers other than the recording layer that is a recording or reproducing object” of amended claim 14. By performing the subtraction operation between these components, the first and second diffracted light components are obtained. When the second wavelength is applied, the first light receiving regions receive only the unnecessary light, whereas the second light receiving regions receive the

third and fourth diffracted light and the unnecessary light. By performing the subtraction operations between these components, the third and fourth diffracted light components are obtained.

Applicant has also amended claim 15 to provide proper antecedent basis for the claimed features. Support for the amendment is found in at least Figs. 7(a) and 7(b) of the as-filed application, which disclose pairs of light-receiving regions, such as, for example, (22, 24), (23, 25), (26, 28), and (27, 29).

Applicant has also amended claim 20 to provide proper antecedent basis for the recited limitations, by reciting third through sixth light receiving regions. Support for amended claim 20 is found in at least Figs. 6, 7(a), and 7(b), and paragraphs [0107] and [0108]. In an exemplary embodiment of the features of amended claim 20, the plurality of first light receiving regions correspond to regions 22 and 23, with the third and fourth light receiving regions correspond to regions 24 and 25. The plurality of second light receiving regions correspond to regions 26 and 27, while the fifth and sixth light receiving regions correspond to regions 28 and 29.

For at least these reasons, Applicant submits that claims 14, 15, 17, and 20 – 25 now comply with 35 U.S.C. § 112, second paragraph, and requests that the rejections be withdrawn.

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CONCLUSION

Applicant believes that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated grounds for rejection have been overcome or rendered moot. Accordingly, Applicant respectfully submits that all pending claims are allowable and that the application is in condition for allowance.

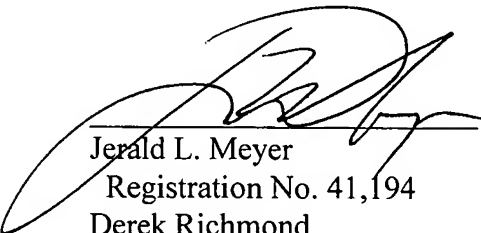
Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,
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